

FILED

UNITED STATES COURT OF APPEALS

JUN 1 2018

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

THE DEMOCRATIC NATIONAL
COMMITTEE; et al.,

Plaintiffs-Appellants,

v.

MICHELE REAGAN, in her official
capacity as Secretary of State of Arizona
and MARK BRNOVICH, Attorney
General, in his official capacity as Arizona
Attorney General,

Defendants-Appellees,

THE ARIZONA REPUBLICAN PARTY;
et al.,

Intervenor-Defendants-
Appellees.

No. 18-15845

D.C. No. 2:16-cv-01065-DLR
District of Arizona,
Phoenix

ORDER

Before: THOMAS, Chief Judge, and O'SCANNLAIN, GRABER,
W. FLETCHER, RAWLINSON, CLIFTON, BYBEE, CALLAHAN, MURGUIA,
WATFORD and OWENS, Circuit Judges.

The en banc court has elected to decline original jurisdiction over this new
appeal, but will retain jurisdiction over any subsequent en banc hearing, if any.

The motion to refer the case to the original three judge panel is GRANTED. See

General Order 3.6.b. The three judge panel has agreed to accept the new appeal as
a comeback case. All other motions are referred to the three judge panel.